IN THE HIGH COURT OF JUDICAUTRE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2434 OF 1998

Kolhapur Zilla Sahakari Dudh Utpadak
Sangh Ltd. ... Petitioner

Vs.

Mayur Co-operative Milk Union
and another ... Respondents

Mr. Y.R. Naik with Mr. Prashant Naik for Petitioner.

Mr. A.A. Kumbhakoni for R.No. 1.

Mr. Suresh Kumar for R. No. 2 and 3.

CORAM : F.I. REBELLO &
S.P. KUKDAY,JJ.
DATED : FEBRUARY 23, 2005

P.C.

. The major contention advanced on behalf of the Petitioner was that the Respondent No. 1 could not have been registered under the provisions of Multi State Cooperative Societies Act in so far as dairies are concerned. The Petitioner are a society registered for the same purpose under the provisions of the Maharashtra Cooperative Societies Act. It is pointed out that considering the legislative entries, the Registrar could not have granted registration in favour of Respondent No. 1.

. It is also pointed out that the Registrar rejected the application of the Petitioner on the ground of locus standi and consequently the matter should be remanded back to the Registrar for

considering the petitioner's contention.

. We have examined the contention as urged on behalf of the Petitioners. We do not find that such contention was raised before the Central Registrar. The other contention raised has far reaching consequences. There are presently no averments to that effect. Even otherwise, it will require substantial contentions and challenges. In the light of that learned counsel for the petitioner seeks leave to withdraw the petition in order to enable him to take other steps in law either by way of filing a separate writ petition or going back to the Central Registrar.

. Considering the above, petition disposed as withdrawn. It will be open to the petitioner either to file independent petition or if in law it is permissible to move Central Registrar for all the contentions advanced before this court and Central Registrar to consider the same if raised according to law and dispose of the same. With above observations, petition disposed of. No order as to costs.

(F.I. REBELLO,J.)

(S.P. KUKDAY,J.)